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## Department of Toxic Substances Control

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**October 24, 2008**

**RESPONSE TO COMMENTS  
FOR  
EVERGREEN OIL, INC. – FRESNO  
4139 NORTH VALENTINE AVENUE  
FRESNO, CALIFORNIA 93722  
EPA ID Number: CAD 982446882**

Evergreen Oil, Inc. (formerly known as “Evergreen Environmental Services”) operates a hazardous waste facility in Fresno, California that stores and transfers used oil, waste antifreeze, non-RCRA wastewater, and solids contaminated with oil. The Fresno facility was issued a Standardized Hazardous Waste Facility Permit (Standardized Permit) by DTSC on December 30, 1997. On December 29, 2006, Evergreen Oil, Inc. submitted an application to renew its Standardized Permit. DTSC reviewed the permit application and prepared a draft Standardized Permit. DTSC also proposed to issue a Notice of Exemption to comply with the California Environmental Quality Act (CEQA).

On August 1, 2008, DTSC published a public notice in the Fresno Bee (an English language newspaper) and the Vida En El Valle (a Wednesday-only Spanish language newspaper) on August 6, 2008 to announce the start of a 45-day public comment period to solicit comments on the Draft Permit. Copies of a fact sheet (in English and Spanish) were mailed to the facility mailing list. A paid public notice announcing the public comment period was aired on a local radio station. The public comment period ended at 5 pm on September 15, 2008. Public comments were received by electronic mail and postal mail.

During the public comment period, DTSC received two comment letters from Mr. Donald H. Burson and Mr. Stephen Douglas.

This document responds to those comments received during the public comment period. DTSC excerpted comments from the written comments received. The persons who made the comments are identified and their comments are shown in italics and listed after the person’s name. DTSC’s response to each comment is follows:

**Commentor #1: Donald H. Burson**

**Comment #1:**

*We need such hazardous facilities. As long as it is under control of Department of Toxic Substances Control, I have no objection to this business.*

**Response:**

Thank you for your comment. Your comment has been noted.

**Commentor #2: Stephen Douglas**

**Comment #2-1:**

*Under Part II, Section 5a "General Description", the draft permit states that "Only Evergreen Oil, Inc. drivers are allowed to unload and load hazardous waste at the facility." Evergreen would like this statement to be removed from the draft permit or reworded so that it is clear that other transporters other than Evergreen Environmental Services may transport waste to and from the facility. Procedures are outlined in Evergreen's Part B application for accepting waste from a transporter other than Evergreen Environmental Services, and an Evergreen representative will be present to receive waste from these transporters. With the way the statement is currently worded, it could be interpreted that no transporters other than Evergreen can transport waste to and from the facility.*

**Response:**

DTSC agrees with this comment. That portion of the General Description section has been revised to read as follows: "Only Evergreen Oil, Inc. employees, including drivers, are allowed to unload and load hazardous waste at the Facility." Additionally, the sentence "Hazardous waste (used oil, waste antifreeze, non-RCRA wastewater) is brought to the Facility in tanker trucks." has been added to this section to clarify the description.

**Comment #2-2:**

*Under Part IV, Unit #1, Unit Specific Conditions #4, the draft permit states, "The Permittee shall store only used oil, waste antifreeze and oily water in the tanks identified in Table 4." Evergreen is requesting that the phrase "oily water" be replaced with "Non-RCRA wastewater" to maintain consistency throughout the permit.*

**Response:**

DTSC agrees with this comment. All instances of the phrase "oily water" in the Permit have been replaced with "Non-RCRA wastewater."